App F IX 4

1945

Previous References
Mtl 48-34-(91, 96 & 103) Mtl

File No Mtl 106-45-
Serial Nos 1, 2 & 11

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos 3

Part B for ~~August~~ '45-

SUBJECT

Rules under Section 228 of the City Municipalities Act - Licensee for the Stamp of films

To the Compiler Mtl
L 2290/Mtl 106-45-11
& 21 9 45-

Notified

*5528
L

*8772/44
D

Letter no A8 Pr 289-713/44-45 dt 19/2/45
from the Mc comm, Bay
requesting in the circumstances
stated that a notification under
Section 228(2)(a) read with Section
51(1)(e)(vii) of the Ajmer-Merwara
Act 1933 may be issued in regard to
Barber Shops or Hairdressing Saloons
& the storing of films by the Exhibitors
& Distributors in the city

Dealt with previous references
The Law Section will also be
consulted

KMB
21/3 1) pl put up draft notn
accordgly
Ans
11/4 hrs.

2) Dealt with a draft Notfn for appl

KMB
17/4 3) The draft notn under is
self-explanatory may be approved.
It requires previous publication according
to the provisions of Section 228 of the
Ajmer City Municipal Act 1933.

4

19/4 5) Law Section
Cases call the Law Section
after further
matter
Ans
19/4/45

RECD
19 APR 1945
GOVT

8772/plus

Rules under s 228 of the City Municipalities Act

Submitted

7 With ref to para 4 supra, the point for consideration is whether the draft notification requires previous publication

8 It will be seen from the files placed below that the G.O. No L 2539-M1/70-38-24 d 21 9 38 (Fg 4) and L 6258-61-M1-86-39-169 d 20 2 41 (Fg V) have been passed under enactments the bye-laws for the regulation of barbershops and stamping of films, have been passed after due publication under S 51 (2) & (3) of the City Municipalities Act (vide Fgs. X & V)

9 The rule to be framed for this purpose under s 228 (a) read with s 51 I b (7) (as was done in a previous case - vide Fg J No L 1553)

A requires previous publication under Mysore Vol IX s 228 (4), and the bye-laws would then be framed by the Municipality

(B) The words at A should be corrected accordingly

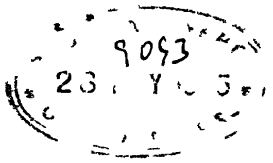
AMM 25/5

(Mr Seay) 25/5/65

5-29

11) In view of the various corr. by the Law section, the draft notice may be appd. -- Para 5 supra

Lawyer for 2 b/Secy

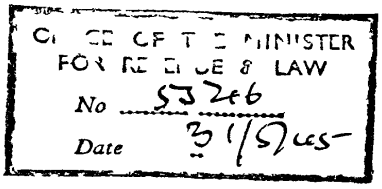


12) This is only a preliminary notification, calling for objections

Mayhew approved

Chas Ross

for 2 5 33



13) appd, but the dates in the draft notice should be carefully altered

for 5-7-43

14) Altered accordingly. Draft for Secy signature

The translation of "Memorandum" dated 4-1-43 notifies and calls for objections.

A)

5528/L

15) Resubmitted
No objections have been received in this Office

16) A fair draft with corrections (as in flag A) the rule & map be printed
Sw 15/8/45

17) Submit with a draft formal Notification accordingly

Sw 23/8 18) No objn has been received in response to the notice issued
Flag A
& 7 days before the hearing.

Hence the rule will have to be finally confirmed

19) A draft Notn confirming the rule is submitted for approval, in the terms of the Notn flagged A

Addl Regl Govt 24/8/45

• May be issued
Minister for Edn (PK) 25/8/45

28/8/45

To Carter M-q
" McCan
L2290 D 21-7-45
Notice.

28/8/45
29/8/45

ADDITIONAL DEPUTY
20 11 4
25/8

OFFICE OF THE MINISTER
FOR EDUCATION P N
Date 27 8 45
1327

ML 106-45-1

BANGALORE CITY MUNICIPALITY

No A8-Pr 289-715/44-45 MUNICIPAL OFFICES

Encl

Bangalore 19th Feb , 194 5

FROM

K Subba Rao, Esq , B A ,
~~K SURYANARAYANAX SETTI, ESQ, BXXXXX~~
MUNICIPAL COMMISSIONER
BANGALORE CITY

5528

To

C Narayanaswamy Naidu, Esq , B A , B L ,
LEGAL REMEMBRANCER & SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE
LAW DEPARTMENT BANGALORE

SECY LAW DEPT 21 JUL 45 MYSORE

SIR

I have the honour to state that the Municipal Council, Bangalore City, have framed bye-laws for regulating Barber shops and Hair dressing saloons and the Storing of films by the exhibitors and distributors in the Bangalore City, and these bye-laws have been approved by Government in their Orders No L 2539-M1/70-38-24 dated 21st September 1938 and No L 6258-61-M1 86-39-169 dated 20th February 1941

The Municipal Advocate is of opinion that these bye-laws are ultra-vires and any infringement thereof cannot be punished in the absence of a rule framed by Government under Section 228-2 (a) read with Section 51 (1) (b) (7) of the Mysore City Municipalities Act, 1933 as amended from time to time I therefore request that the following rule may be kindly framed by Government

"No person shall use any place within the limits of the Bangalore City Municipality as a Barber shop or Hair dressing saloon, or for the purpose of storing films in his capacity as exhibitor or distributor, except under and in accordance with the conditions of a license to be obtained in this behalf from the Municipal Council"

I may point out that a similar rule has been framed by Government in Notification No L 1553-M1/48-34-103 dated

27th August 1935 in respect of Gold and Silver boiling and installation of power-driven Machinery

I have the honour to be,
Sir,
Your most obedient servant,

Municipal Commissioner

ksm

Appendix F G—1]

SUBJECT

Section RL-45

File No 106-45

Serial No 2

Diary No of letter replied to

No L-189 Notification

General and Revenue Secretariat

( )

To

the 194

The following draft of the rule prescribing the taking out of a license for the use of any place not belonging to the Bangalore city municipal, for the purpose mentioned therein, which the Govt propose to make in exercise of the powers conferred by section 228 (2) (a) read with section 61 (1) (b) (vii) of the City of Bangalore Municipalities Act 1933 and all other powers in this behalf, is published under sub-section (1) of section 228 of the Act, for the information of persons likely

Date of issue 9th July 1945

Signed by M V Rao

List of enclosures

Copied by

Examined by

WD 074—GPB—15 COC—30 10 44

to be affected thereby ~~passed~~

Notice is hereby given that the draft rule will be taken into Consideration on or after 15th May 1945. ~~1st August 1945~~ to be suitably altered as ~~15~~ any objection or suggestion which may be received from any person with respect to the proposed rule before the said date will be taken into consideration —

Draft Rule

No person shall use any place within the limits of the Bangalore city municipal ~~municipality~~ as a Barber Shop or Hair dressing Saloon, or for the purpose of storing films in his capacity as exhibitor or distributor except under and in accordance with the conditions of a license to be obtained in this behalf from the municipal council

As amended in lower copy by DIS dtd 27/8

By order

for Secy to Govt

Law Dept

To the Compiler, Mysore Gazette for Publication in Part IV of the Gazette and sending 25 Copies to the Secy to

G P S App F G 3

GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form)

to the Md Comm, Pacific.
Memo no R-190 Dt 9/7/1945
Copy of the above is forwarded with Compliments to the Md Comm, Pacific, (thro the Dept) with reference to his letter no AB PR. 289-715/44-E5 Dt 19-2-45 for information with the intimation that, after the above rule is confirmed by the Govt, the Md Ch can frame the necessary bylaws under section 51 (b) & prescribe the fees for such licenses under the rules to be framed by them under Section 49 (b) read with Section 82 of the Act

By order

for Secy to Govt
Local Govs Dept

WD 0522 G1B—7 500—16 2 37

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L-189
MM-106-45-2

General and Revenue Secretariat

Dated Bangalore, 9th July 1948

NOTIFICATION

[illegible] draft of [illegible] regarding the [illegible] of licences for the use of any place [illegible] the Municipality [illegible] Council, for the purposes [illegible] thereof, in the undermentioned [illegible], in exercise of the powers conferred by section 541(1)(z) read with section 541(1)(b)(viii) of the City Municipalities Act 1949 [illegible] all other powers in that behalf, is hereby published under sub-section (4) of section 109 of the said Act, for the information of persons likely to be affected thereby. Notice is hereby given that the draft rules will be taken into consideration on or after the 4th August 1948. Any objections or suggestions which may be received from any person with respect to the said draft before the date so fixed will be taken into consideration.

RULES

No person shall carry on the business of not belonging to the Municipality [illegible] Council [illegible] or for the use of premises [illegible] in the Municipality [illegible] except in accordance with the conditions of a licence granted in that behalf by the Municipal Council.

By Order,

Secretary to Government,
[illegible]

The Commissioner, Bangalore City, is requested to cause publication in part IV of the Karnataka Gazette to be made and to send 100 copies thereof to the Secretariat and to the Municipal Council, Bangalore City.

Approved

[illegible]

WL-2290-Section- MI 106-4-5-14

File no ——

Sl no —— 21/9/45

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*)

Notification

In exercise of the powers conferred by Section 228 (2) (a) read with Section 51 (1) (b) (VII) of the Mysore City Municipalities Act, 1933, and all other powers in this behalf, the Government of Mysore have pleased to make the following rule prescribing the taking out of a license for the use of any place, not belonging to the Bangalore City Municipal Council, for the purposes mentioned herein —

" no person shall use any place not belonging to the Bangalore city Municipal Council as a Barber Shop or Hair Dressing Saloon or for the purpose of showing films, in his capacity as exhibitor or distributor except under and

WD 0282—GPB- 22 500—14-3 38

in accordance with the conditions of a licence to be obtained in this behalf from the Municipal Council

B.O

Sd/- 25/8

Addl Secretary to Govt

To

The Controller, Mysore Gazette for publication in Part IV of the Gazette and for sending 25 copies to the Secretary and 25 copies to the Municipal Commissioner above city

Memo No. L 2291 21/9/45

Copy w c to the Municipal Comr. Bangalore City (through the Divisional Asst) for necessary action.

B.O

for Holdsworth

17/9